

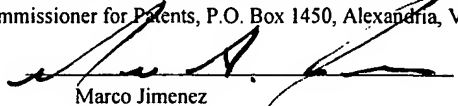


06-30-04

IFW

PATENT
Docket No. 559852000101

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV479817655US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 28, 2004.


Marco Jimenez

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

John Stanley David STANIER

Serial No.: 10/697,666

Filing Date: October 29, 2003

For: INFLATABLE HUMANOID FORMS

Examiner: Bena B. Miller

Group Art Unit: 3712

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant submits for consideration in the above-identified application the document listed on the attached Form PTO-1449. Copies of the document are also submitted herewith. The Examiner is requested to make this document of record.

We have been advised that the document listed on the attached Form PTO-1449 comprises images from an Australian movie entitled "Around the World in 80 Ways," which was released in 1987. We have not been able to confirm this date.

07/02/2004 MBERHE 00000140 031952 10697666
01 FC:1806 180.00 DA

We have also been advised that the premise of the movie is as follows: "The son of an elderly man, who is partially sighted, hatches a scheme to give his father the experience of a trip from Sydney, Australia to Hawaii, Las Vegas, Rome and Tokyo. . . . To implement this scheme, the son and two accomplices recreate (in one or more local venues) (i) a poolside environment in Hawaii; (ii) a Las Vegas casino and nightclub and (iii) the Vatican (among other places, such as the airport, hotel, etc.)." We have not been able to confirm this premise.

We have also been advised that "[i]n each of the recreated scenes, life-sized, inflatable humanoids are used to give the appearance of other people being present to the partially sighted elderly man." We have not been able to confirm that inflatable humanoids were used.

Nevertheless, the Applicants respectfully submit that the images do not affect the patentability of the present invention. The submitted images are no different than the images from the movie entitled "Legends of the Fall," which were submitted in the previous IDS. All of the submitted images from "Around the World in 80 Ways" and "Legends of the Fall" show humanoid figures as central characters in the scenes in which they are used, not as part of the background as in embodiments of the present invention (see claims 16, 23, 29 and 37). The humanoid figures in the two movies are limited to not more than a few strategically placed figures, and do not simulate a crowd as in embodiments of the present invention (see claims 16, 23, 29 and 37). In addition, the humanoid figures in the two movies are not placed in close proximity to one another to simulate a crowd, as in embodiments of the present invention (see claim 37). Furthermore, because the humanoid figures in the two movies were central characters in the scenes in which they are used, they are in sharp focus, and were not visually recorded in a manner that did not capture a clear image of the figures as in embodiments of the present invention (see claim 37). Moreover, because the humanoid figures in the two movies were prominently displayed and were filmed in sharp focus, the figures were realistic and had all of their limbs, and were not flat-bottomed partial figures as in embodiments of the present invention (see claim 37).

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

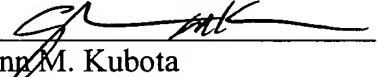
Applicant would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 559852000101. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 28, 2004

Respectfully submitted,

By 
Glenn M. Kubota
Registration No.: 44,197
MORRISON & FOERSTER LLP
555 West Fifth Street, Suite 3500
Los Angeles, California 90013
(213) 892-5752
Attorneys for Applicant(s)

Form PTO-1449

Docket Number 559852000101

Application Number 10/697,666

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

Applicant

John Stanley David STANIER

Filing Date October 29, 2003

Group Art Unit 3712

Mailing Date June 28, 2004

Express Mail - EV479817655US

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

OTHER DOCUMENTS

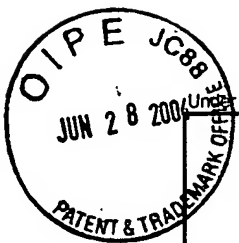
(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	1.	19 pages of color images from an Australian movie entitled "Around the World in 80 Ways," released 1987 (unconfirmed)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/697,666	
	Filing Date	October 29, 2003	
	First Named Inventor	John D. S. STANIER	
	Art Unit	3712	
	Examiner Name	Bena B. Miller	
Total Number of Pages in This Submission	1	Attorney Docket Number	559852000101

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (supplemental) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Glenn M. Kubota - 44,197 MORRISON & FOERSTER LLP (CN 25224) 555 West Fifth Street, Los Angeles, CA 90013
Signature	
Date	June 28, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as Express Mail, Label No. EV479817655US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 28, 2004

Signature: (Marco Jimenez)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)**180.00****Complete if Known**

Application Number	10/697,666
Filing Date	October 29, 2003
First Named Inventor	John D. S. STANIER
Examiner Name	Bena B. Miller
Art Unit	3712
Attorney Docket No.	559852000101

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit
Account
Number

03-1952

Deposit
Account
Name

Morrison & Foerster LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) required under 37 CFR 1.16 and 1.17☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**0.00****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims		** =		x		=	
Multiple Dependent		** =		x		=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)**0.00**

**or number previously paid, if greater; For Reissues, see above


FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)				Terminal Disclaimer	

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**180.00****SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	Glenn M. Kubota	Registration No. (Attorney/Agent)	44,197	Telephone	(213) 892-5752
Signature				Date	June 28, 2004

EXPRESS MAIL - EV479817655US